IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 13TH MARCH 2007 / 22ND PHALGUNA 1928

Bail Appl..No. 1441 of 2007()

CRIME NO.10/07 OF CHITTAR POLICE STATION

: PETITIONER/ACCUSED

GEORGE MATHEW @ SANTHOSH, AGED 33,
S/O.MATHAI, KURIANCHIRA MUKKUDIYIL,
MEZHUVELI MURI, MEZHUVELI VILLAGE,
ARANMULA.

BY ADV. SRI.S.SANTOSH KUMAR (PERUNAD)

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1441 OF 2007 A

Dated this the 13th day of March, 2007

O R D E R

Petitioner, who is the accused in Crime No.10/07 of Chittar Police Station for offences punishable under sections 452, 506(ii) and 294(b) IPC, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. The case of the prosecution is that the accused married the second daughter of the de facto complainant on 19.8.2006, at the time of marriage Rs.5 lakhs and 64 sovereigns of gold ornaments were given and the wife of the petitioner is employed in Saudi Arabia as a nurse and the petitioner, who had come down to his native place, trespassed into the house of his widowed mother-in-law by 12 noon on 24.1.2007 and demanded more dowry by putting her under fear of death by showing a knife and abusing her in filthy language.

4. Eventhough anticipatory bail cannot be granted in a case of this nature, I am inclined to permit the petitioner to surrender before the Investigating Officer for interrogation and then to have his application for regular bail considered by the Magistrate concerned. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 20.3.2007 and 23.3.2007 for the purpose of interrogation.

The petitioner shall, thereafter, be produced on the same day before the concerned Magistrate, who shall consider and dispose of the application, if any, filed by the petitioner for regular bail on merits, preferably on the same date on which it is filed.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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